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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,193	12/11/2003	Masanori Takctsugu	P/1878-186	2577

2352 7590 03/13/2007

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EXAMINER	
IQBAL, KHAWAR	
ART UNIT	**PAPER NUMBER**
2617	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/735,193	TAKETSUGU, MASANORI	
	Examiner	Art Unit	
	Khawar Iqbal	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 March 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *23-46* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *23-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12-12-2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 23-46 are rejected under 35 U.S.C. 102(a) as being anticipated by Musikka (20030012154).

3. Reading claim 23 Musikka teaches a mobile communications system comprising (figs. 5-8):

a terminal resource controller that performs a control independent of a radio transmission scheme (user plane for both GSM and UMTS is implemented in a common Media Gateway) (para. #0030, 0044-0045, 0067-0074); and

a plurality of base station resource controllers that perform the control dependent on the radio transmission scheme (para. # 0044-0045, 0067-0074);

wherein said terminal resource controller manages said plurality of base station resource controllers (para. #0030, 0044-0045, 0067-0074).

Reading claim 24 Musikka teaches wherein said terminal resource controller is connected to said plurality of base station resource controllers through said switching equipment (para. #0030, 0044-0045, 0067-0074).

Reading claim 25 Kempf teaches wherein said switching equipment is a router or a hub (para. #0030, 0044-0045, 0067-0074).

Reading claim 26 Musikka teaches wherein said terminal resource controller is physically separated from said plurality of base station resource controllers (para. #0030, 0044-0045, 0067-0074).

Reading claim 27 Musikka teaches said terminal resource controller comprises: a terminal position detector; a common radio resource manager; a broadcast network device; and a mobile controller (para. #0030, 0044-0045, 0067-0074).

Reading claim 28 Musikka teaches wherein each of said plurality of base station resource controllers comprises, a cell controller, a radio layer controller, a cell communication gateway, and a user radio gateway (para. #0030, 0044-0045, 0067-0074).

Reading claim 29 Musikka teaches wherein each of a plurality of base station resource controllers is incorporated into a base station (para. #0030, 0044-0045, 0067-0074).

Reading claim 30 Musikka teaches further comprising a mobile terminal (fig, 2, element 22).

Reading claim 31 Musikka teaches a method of controlling a mobile communications system, comprising (figs. 4-8):

a terminal resource controller in the mobile communications system, performing a control independent of a radio transmission scheme (para. #0030, 0044-0045, 0067-0074); and

a plurality of base station resource controllers in the mobile communications system performing a control dependent on the radio transmission scheme (para. #0030, 0044-0045, 0067-0074), wherein said terminal resource controller manages said plurality of base station resource controllers (para. #0030, 0044-0045, 0067-0074).

Reading claim 32 Musikka teaches a mobile communications system comprising: a plurality of terminal resource controllers that perform a control independent of a radio transmission scheme; and a base station resource controller that performs a control dependent on the radio transmission scheme, wherein said plurality of terminal resource controllers manage said base station resource controller (para. #0030, 0044-0045, 0067-0074).

Reading claim 33 Musikka teaches a switching element, wherein said plurality of terminal resource controllers are connected to said base station resource controller through said switching equipment (para. #0030, 0044-0045, 0067-0074).

Reading claim 34 Musikka teaches wherein said switching equipment is a router or a hub (para. #0030, 0044-0045, 0067-0074).

Reading claim 35 Musikka teaches wherein said plurality of terminal resource controllers are physically separated from said base station resource controller (para. #0030, 0044-0045, 0067-0074).

Reading claim 36 Musikka teaches wherein each of said terminal resource controller comprises: a terminal position detector, a common radio resource manager; a broadcast network device, and a mobile controller (para. #0030, 0044-0045, 0067-0074).

Reading claim 37 Musikka teaches wherein said plurality of base station controllers comprises: a cell controller, a radio layer controller, a cell communication gateway, and a user radio gateway (para. #0030, 0044-0045, 0067-0074).

Reading claim 38 Musikka teaches wherein each of a plurality of base station resource controllers is incorporated into a base station (para. #0030, 0044-0045, 0067-0074).

Reading claim 39 Musikka teaches further comprising a mobile terminal (para. #0030, 0044-0045, 0067-0074).

Reading claim 40 Musikka teaches a method of controlling a mobile communications system, comprising: a plurality of terminal resource controllers in the mobile communications system performing a control independent of a radio transmission scheme; and a base station resource controller in the mobile communications system performing a control dependent on the radio transmission scheme; wherein said plurality of terminal resource controllers manage said base station resource controller (para. #0030, 0044-0045, 0067-0074).

Reading claim 41 Musikka teaches a terminal resource controller comprising: a terminal position detector, a common radio resource manager, a broadcast network device; and a mobile controller, wherein the terminal resource controller performs a control independent of a radio transmission scheme, and wherein the terminal resource controller manages a plurality of base station resource controllers that perform a control dependent on the radio transmission scheme (para. #0030, 0044-0045, 0067-0074).

Reading claim 42 Musikka teaches a terminal resource controller comprising:

terminal position detection means for detecting a terminal position; common radio resource management means for managing a common radio resource; broadcast means for broadcasting (para. #0030, 0044-0045, 0067-0074); and mobile control means for controlling a mobile terminal, wherein the terminal resource controller performs a control independent of a radio transmission scheme, and wherein the terminal resource controller manages a plurality of base station resource controllers that perform a control dependent on the radio transmission scheme (para. #0030, 0044-0045, 0067-0074).

Reading claim 43 Musikka teaches a method of controlling a terminal resource controller, comprising performing a control independent of a radio transmission scheme, wherein said terminal resource controller manages a plurality of base station resource controllers that perform a control dependent on a radio transmission scheme (para. #0030, 0044-0045, 0067-0074).

Reading claim 44 Musikka teaches a base station resource controller comprising: a cell controller; a radio layer controller, a cell communication gateway, and a user radio gateway, wherein the base station resource controller performs a control dependent on a radio transmission scheme (para. #0030, 0044-0045, 0067-0074); and wherein the base station resource controller is managed by a plurality of terminal resource controllers that perform a control independent of the radio transmission scheme (para. #0030, 0044-0045, 0067-0074).

Reading claim 45 Musikka teaches a base station resource controller comprising:

cell control means for controlling a cell radio layer control means for controlling a radio layer, cell communication gateway means for transmitting a radio channel signal; and user radio gateway means for controlling retransmission (para. #0030, 0044-0045, 0067-0074), wherein the base station resource controller performs a control dependent on a radio transmission scheme, and wherein the base station resource controller is managed by a plurality of terminal resource controllers that perform a control independent of the radio transmission scheme (para. #0030, 0044-0045, 0067-0074).

Reading claim 46 Musikka teaches a method of controlling a base station resource controller, comprising: performing a control dependent on a radio transmission scheme, wherein the base station resource controller is managed by a plurality of terminal resource controllers that perform a control independent of the radio transmission scheme (para. #0030, 0044-0045, 0067-0074).

Response to Arguments

4. Applicant's arguments with respect to claims 23-46 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khawar Iqbal whose telephone number is 571-272-7909.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Khawar Iqbal

GEORGE ENG
SUPERVISORY PATENT EXAMINER